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05-10-04

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[251] Attorney Docket No. : ADP-131.1US

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Lisa C. Chacon, Adam J. G. Ellison, George B. Hares,  
Jeffrey T. Kohli, Josef C. Lapp, and Robert Morena  
Serial No. : 09/990,750  
Filed : November 16, 2001  
For : GLASSES FOR FLAT PANEL DISPLAYS  
Examiner : K. Group  
Group : 1755

MS Issue Fee  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

EXPRESS MAIL INFORMATION

Attached hereto are the following papers which are being mailed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, utilizing the "Express Mail Post Office to Addressee" service of the United States Postal Service on the date indicated below:

1. Transmittal Of Information Disclosure Statement After Mailing Date Of Final Action Or Notice Of Allowance But Before Payment Of Issue Fee (37 CFR 1.97(d) (1 page))
2. Check for \$180.00
3. Supplemental Information Disclosure Statement (2 pages; with attached Exhibits A-B)
4. Supplemental Listing Under 37 CFR §1.98(a)(1) (1 page)
5. Cited References (3 references)
6. Express Mail Information (1 page, this page)
7. Return Receipt Postcard (1 card)

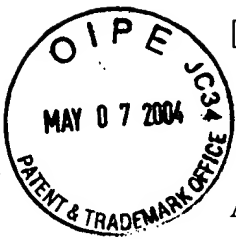
Date of mailing: May 7, 2004

Express Mail mailing label number: ET089886045

Person depositing papers with  
the U.S. Postal Service: Anya Klee

May 7, 2004  
Date Signed

Anya Klee  
Anya Klee



[251] Attorney Docket No. : ADP-131.1US

PATENT

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Examiner : K. Group  
Group : 1755

TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT AFTER  
MAILING DATE OF FINAL ACTION OR NOTICE OF ALLOWANCE BUT  
BEFORE PAYMENT OF ISSUE FEE (37 CFR 1.97(d))

The information disclosure statement transmitted herewith is being filed after a notice of allowance under §1.311 but before the payment of the issue fee.

In accordance with the requirements of 37 CFR §1.97(d):

- A. Accompanying this transmittal, as part of applicants' information disclosure statement, is a certification, as specified in 37 CFR §1.97(e).
- B. Applicant hereby petitions for the consideration of the accompanying information disclosure statement. 37 CFR §1.97(d)(ii).
- C. Applicant submits the petition fee set forth in § 1.17(p).

A check in the amount of \$180.00 is enclosed.

The Commissioner is hereby authorized to charge any additional fees which may be required by this paper, or credit any overpayment, to Deposit Account No. 11-1158.

Respectfully submitted,

Date: 5/7/04

Maurice M. Klee  
Maurice M. Klee, Ph.D.  
Reg. No. 30,399  
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1951 Burr Street  
Fairfield, CT 06824  
(203) 255-1400



[251] Attorney Docket No. : ADP-131.1US

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Lisa C. Chacon, Adam J. G. Ellison, George B. Hares,  
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Examiner : K. Group  
Group : 1755

Commissioner of Patents and Trademarks  
Washington, D.C. 20231

SUPPLEMENTAL LISTING UNDER 37 CFR §1.98(a)(1)

U.S. PATENT DOCUMENTS

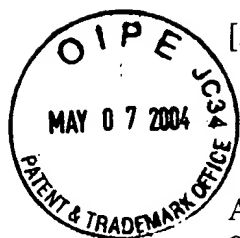
<u>Examiner Initial</u>	<u>Document Number</u>	<u>Issue Date</u>	<u>Name</u>	<u>Classification Class</u>	<u>Sub</u>
_____	42. 5,885,914	3/1999	Nishizawa et al.	501	66
_____	43. 6,468,933	10/2002	Narita et al.	501	56

FOREIGN PATENT DOCUMENTS

<u>Examiner Initial</u>	<u>Document Number</u>	<u>Date</u>	<u>Country</u>
_____	44. 10-059741	3/1998	JP
	with attached English abstract and computer translation obtained from the Japanese Patent Office website		

Examiner  
Signature: \_\_\_\_\_

Date  
Considered: \_\_\_\_\_



[251] Attorney Docket No. : ADP-131.1US

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Chacon et al.  
Serial No. : 09/990,750  
Filed : November 16, 2001  
For : GLASSES FOR FLAT PANEL DISPLAYS  
Examiner : K. Group  
Group : 1755

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

In accordance with 37 CFR §1.56 and 37 CFR §1.97(d), applicants wish to call the Examiner's attention to References 42-44 listed on the Supplemental Listing Under 37 CFR §1.98(a)(1) submitted herewith. Copies of these references are enclosed.

The undersigned certifies that References 42-44 were not cited in a communication from a foreign patent office in a counterpart foreign application and that to his knowledge, after making reasonable inquiry, References 42-44 were not known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of this statement.

The Examiner is respectfully requested to initial a copy of the Supplemental Listing Under 37 CFR §1.98(a)(1) and return it to applicants to indicate consideration of the references listed thereon in connection with the prosecution of this application.

In addition to References 42-44, attached as Exhibit A is a copy of an Office Action dated February 9, 2004 regarding reissue application No. 10/141,286 (the '286 application). The '286 application is the application for which a terminal disclaimer was filed in this application on January 7, 2004.

In the February 9<sup>th</sup> Office Action, the examiner in charge of the '286 application maintained a previous line of rejection for certain claims of the '286 application based on Example 9 of Kushitani et al., U.S. Patent No. 5,244,847 (Kushitani et al.). That prior rejection, along with applicant's response thereto, were made of record in the present application on January 7, 2004. The February 9<sup>th</sup> Office Action is being submitted to bring those prior submissions up to date.

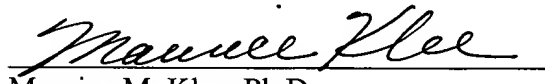
Also submitted herewith as Exhibit B is a Supplemental Declaration of Josef C. Lapp Under 37 C.F.R. §1.132, which has been prepared for filing in the '286 application (Lapp Declaration). The point at issue in the '286 application is the value of the coefficient of thermal expansion (CTE) for Kushitani et al.'s Example 9. Kushitani et al. set forth a CTE value of  $44 \times 10^{-7}/^{\circ}\text{C}$  for Example 9, which falls outside the  $30\text{-}41.5 \times 10^{-7}/^{\circ}\text{C}$  range ( $25\text{-}300^{\circ}\text{C}$ ) of the rejected claims of the '286 application. However, Kushitani et al. do not state a temperature range for this CTE value, and the examiner in charge of the '286 application has used this omission to argue that the CTE of Example 9 could satisfy the rejected claims.

Although this argument is not considered proper or sound, after receiving the February 9<sup>th</sup> Office Action, Corning Incorporated, the assignee of this application and of the '286 application, performed experiments to determine the CTE of Kushitani et al.'s Example 9 over the temperature range of  $25\text{-}300^{\circ}\text{C}$ . The Lapp Declaration sets forth the results of those experiments. As detailed therein, a measured value of  $44.3 \times 10^{-7}/^{\circ}\text{C}$  over the  $25\text{-}300^{\circ}\text{C}$  range was found, which is outside the  $30\text{-}41.5 \times 10^{-7}/^{\circ}\text{C}$  ( $25\text{-}300^{\circ}\text{C}$ ) range of the rejected claims of the '286 application.

Consideration of the foregoing in connection with the prosecution of this application is respectfully requested.

Respectfully submitted,

Date: 5/7/04

  
Maurice M. Klee, Ph.D.  
Reg. No. 30,399  
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1951 Burr Street  
Fairfield, CT 06824  
(203) 255-1400



[251] Attorney Docket No. : ADP-122RE

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

## Reissue Application of:

Applicant : Jeffrey T. Kohli  
 Serial No. : 10/141,286  
 Filed : May 8, 2002  
 For : GLASSES FOR DISPLAY PANELS AND  
 PHOTOVOLTAIC DEVICES  
 Examiner : S. Stein  
 Group : 1775

## For the Reissue of:

Patent No. : 6,060,168  
 Granted : May 9, 2000  
 For : GLASSES FOR DISPLAY PANELS AND  
 PHOTOVOLTAIC DEVICES  
 Patentee : Jeffrey T. Kohli

Commissioner of Patents and Trademarks  
 Washington, D.C. 20231

SUPPLEMENTAL DECLARATION OF JOSEF C. LAPP UNDER 37 C.F.R. §1.132

I, Josef C. Lapp, declare as follows:

1. I am the Josef C. Lapp who previously submitted a "Declaration of Josef C. Lapp Under 37 C.F.R. §1.132" in this application dated May 2, 2003. My education and experience in the field of glass technology is set forth in my prior declaration.

2. I make this supplemental declaration to report the results of tests that were performed at Corning Incorporated (Corning) under my direction and supervision to determine the 25-300°C coefficient of thermal expansion (CTE) of the glass of Example 9 of Kushitani et al., U.S. Patent No. 5,244,847 (Kushitani).

3. I understand that the Examiner in charge of this application has noted in an Office Action dated February 9, 2004 that the Kushitani patent reports a CTE of  $44 \times 10^{-7} / ^\circ\text{C}$  for Example 9, but does not set forth the temperature range over which

this CTE was determined. As discussed below, the tests performed at Corning were for the 25-300°C range, and the CTE value determined for this range was  $44.3 \times 10^{-7} / ^\circ\text{C}$ .

4. The materials used in the testing were:

Oxide	Wt%	Raw Material	Weight (gms)
SiO <sub>2</sub>	60	Sand Berkeley Silcosil 75	1802
Al <sub>2</sub> O <sub>3</sub>	17	Alumina 325 mesh	509
B <sub>2</sub> O <sub>3</sub>	4	Boric Acid	212
MgO	8	Magnesia; P-98-30	243
CaO	11	Limestone; Mississippi	594

Each of these materials is of the type commonly used in the glass industry to prepare boro-aluminosilicate glasses. In accordance with the description of Example 9 set forth in the Kushitani patent, no other ingredients, such as fining agents, were added.

5. The batch ingredients of paragraph 4 were mixed for 15 minutes using a Turbula mixer. The mixed ingredients were then charged into an 1800 cc platinum crucible, covered with a refractory cover, and placed in an electrically heated furnace at 1575°C for 3 hours. The melt was removed from the furnace and poured into water in a process known as drigaging. This creates a fine glass powder and aids in creating homogenous glass. After drying, the drigage powder was again charged into an 1800 cc platinum crucible and remelted for 3.5 hours during which the melt was stirred for 2 hours. The melt was then cast into a patty shape by pouring the melt onto a cold steel table. The glass patty was then annealed at 740°C. The resulting glass was generally clear with some gaseous inclusions (seeds) and a very minor amount of unmelted batch material (stones). The stone quantity was deemed to be low enough so as not to change the bulk glass chemistry and thus not affect the determination of the glass' CTE. The seeds have no impact on a CTE measurement because of the existence of a continuous glass phase.



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6. The 25-300°C CTE of the glass was determined according to ASTM E228-95 via a dual push rod dilatometer using an alumina reference bar. I understand that a copy of ASTM E228-95 has previously been made of record in this application in connection with the submission of my prior declaration. The CTE determination was performed on a thermal expansion sample bar (2"x1/4"x1/4") prepared from the annealed glass patty of paragraph 5 by cutting and grinding. The sample was from a region of the patty that was free from stones.

7. CTE values were determined for both a heating cycle and a cooling cycle. The results for the 25-300°C range were  $44.6 \times 10^{-7} / ^\circ\text{C}$  for the heating cycle and  $44.0 \times 10^{-7} / ^\circ\text{C}$  for the cooling cycle. The average value for the glass composition of Example 9 of Kushitani determined by these tests was thus  $44.3 \times 10^{-7} / ^\circ\text{C}$  for the 25-300°C range.

8. I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

May 7, 2004  
(Date)

  
Josef C. Lapp